-- 30. (New) The computer software product of claim 1, wherein said identification data indicates an employee, and further comprising a computer readable program code means for receiving from the calling telephones computer compatible function codes indicative of whether said employee has arrived or is departing from a work site, and wherein said report contains information indicative of the arrival and departure time of said employee at said work site.

31. (New) The computer software product of claim 9 further comprising a computer readable program code means for receiving from the calling telephones computer compatible function codes indicative of whether an employee has arrived or is departing from a work site, and wherein said report contains information indicative of the arrival and departure time of said employee at said work site.

32. (New) The computer software product of claim 17, wherein said identification data indicates an employee, and further comprising a computer readable program code means for receiving from the calling telephones computer compatible function codes indicative of whether said employee has arrived or is departing from a work site, and wherein said report contains information indicative of the arrival and departure time of said employee at said work site.--

REMARKS

Favorable reconsideration of the present application in light of the above amendment and in light of the following discussion is respectfully requested.

A petition for extension of time (one month) and the fee therefor are enclosed.

Claims 1-32 are presently active in this case, with claims 1, 7-9, 16, 17 and 24-29 amended by way of the present amendment and with claims 30-32 as new, without the introduction of new matter.

Applicant notes with appreciation the Examiner's indication that previously pending claims 8, 16 and 24 are directed to allowable subject matter and that the same would be formally allowed if rewritten in independent form including all of the limitations of each claim's base claim. Applicant calls to the Examiner's attention amended

independent claims 8, 16 and 24 which correspond to previously pending dependent claims 8, 16 and 24, respectively, and which include all of the limitations of each claim's base claim. Accordingly, Applicant believes amended claims 8, 16 and 24 to be in condition for formal allowance.

In the present Office Action, (i) claims 1-5, 9, 10, 12, 15, 17-21 and 25-29 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,436,957, ("*McConnell*"); and (ii) claims 6, 7, 11, 13, 14, 22 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over *McConnell*.

Applicant respectfully submits that amended independent claims 1, 9, 17 and 25-29 and claims dependent therefrom, i.e., claims 2-7, 10-15, 18-23 and 30-32, are patentably distinguishable over *McConnell* based on the following discussion.

Applicant submits that *McConnell* fails to teach or suggest, in relevant part, either a computer program product, method, or system that, among other things, receives "identification data associated with employee tracking" as recited in amended independent claims 1, 9, 17 and 25-29.
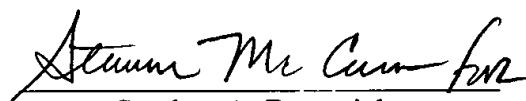
In the above respect, the present Office Action asserts that *McConnell* discloses a system and method of controlling access to telephone lines wherein said system and method includes collecting specific users' authorization codes, which may include product codes and passwords. (*McConnell,* col. 10, ln. 45). However, *McConnell* merely teaches a system and method for controlling the provision of communication services wherein specific callers must provide data (e.g., product codes, passwords, etc.) that match specific criteria set by the communications subscriber in order to gain access to a particular communication service. (*McConnell,* col. 4, lns. 17-40). Applicant respectfully submits that receiving data, such as authorization codes, from calling customers as described by *McConnell* does not teach or suggest the claimed feature of receiving "identification data associated with employee tracking," e.g., employee identification codes, access codes, arrival and departure codes, etc., that allows for the tracking of personnel as described by the instant invention. While the system and method disclosed in *McConnell* may collect data relevant to the provision of communications

services, *McConnell* does not teach or suggest that any data collected would be associated with employee tracking or useful for purposes thereof.

For at least these reasons, applicant respectfully submits that amended independent claims 1, 9, 17 and 25-29 and claims dependent therefrom, i.e., claims 2-7, 10-15, 18-23 and 30-32 are patentably distinguishable over *McConnell*. Accordingly, it is respectfully requested that the rejections of claims 1-7, 9-15, 17-23 and 25-29 be reconsidered and withdrawn.

Consequently, in view of the above discussion, no further issues are believed to be outstanding in the present application and the present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested. If, however, any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney so that such issues may, be resolved as expeditiously as possible.

Respectively submitted,

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APPENDIX

Claims 1, 7-9, 16, 17 and 24-29 have been amended as follows:

--1. (Amended) A computer software product comprising a computer usable medium having computer readable program code means embodied in said medium for causing an applications program to execute on a computer, said computer readable program code means comprising:

a computer readable program code means for enabling said computer to detect data that indicates the origin of telephone calls received by said computer from calling telephones located at various sites;

a computer readable program code means for enabling said computer to receive, from the calling telephones, identification data associated with employee tracking;

a computer readable program code means for enabling said computer to verify said identification data against reference data stored in a reference data base;

a computer readable program code means for enabling said computer to create telephone call records based on some of said telephone calls and stamping each of said telephone call records with a time; and

a computer readable program code means for enabling said computer to generate a report containing information contained in some of said telephone call records.

7. (Amended) The computer software product of claim 1, wherein said data that indicates the origin of telephone calls is based on a cellular location.

8. (Amended) A computer software product comprising a computer usable medium having computer readable program code means embodied in said medium for causing an applications program to execute on a computer, said computer readable program code means comprising:

a computer readable program code means for enabling said computer to detect data that indicates the origin of telephone calls received by said computer from calling telephones located at various sites;

a computer readable program code means for enabling said computer to receive, from the calling telephones, identification data [The computer software product of claim 1], wherein said identification data indicates an employee;

a computer readable program code means for enabling said computer to verify said identification data against reference data stored in a reference data base;

[, and further comprising] a computer readable program code means for receiving from the calling telephones computer compatible function codes indicative of whether said employee has arrived or is departing from a work site;

a computer readable program code means for enabling said computer to create telephone call records based on some of said telephone calls and stamping each of said telephone call records with a time; and

a computer readable program code means for enabling said computer to generate a report containing information contained in some of said telephone call records[,] and [wherein said report contains] information indicative of the arrival and departure time of said employee at said work site.

9. (Amended) A computer software product comprising a computer usable medium having computer readable program code means embodied in said medium for causing an applications program to execute on a computer, said computer readable program code means comprising:

a computer readable program code means for enabling said computer to detect data that indicates the origin of telephone calls received by said computer from calling telephones at various work sites;

a computer readable program code means for enabling said computer to receive, from the calling telephones, identification data associated with employee tracking;

a computer readable program code means for enabling said computer to compare the indicated origin of each of said telephone calls with information associated with valid work sites that is stored in a reference data base;

a computer readable program code means for enabling said computer to create telephone call records based on some of said received telephone calls and stamping each of said telephone call records with a time; and

a computer readable program code means for enabling said computer to generate a report containing information contained in some of said telephone call records.

16. (Amended) A computer software product comprising a computer usable medium having computer readable program code means embodied in said medium for causing an applications program to execute on a computer, said computer readable program code means comprising:

a computer readable program code means for enabling said computer to detect data that indicates the origin of telephone calls received by said computer from calling telephones at various work sites;

a computer readable program code means for enabling said computer to compare the indicated origin of each of said telephone calls with information associated with valid work sites that is stored in a reference data base;

[The computer software product of claim 9 further comprising] a computer readable program code means for receiving from the calling telephones computer compatible function codes indicative of whether an employee has arrived or is departing from a work site;

a computer readable program code means for enabling said computer to create telephone call records based on some of said received telephone calls and stamping each of said telephone call records with a time; and

a computer readable program code means for enabling said computer to generate a report containing information contained in some of said telephone call records[,] and [wherein said report contains] information indicative of the arrival and departure time of said employee at said work site.

17. (Amended) A computer software product comprising a computer usable medium having computer readable program code means embodied in said medium for causing an applications program to execute on a computer, said computer readable program code means comprising:

a computer readable program code means for enabling said computer to detect data that indicates the origin of telephone calls received by said computer from calling telephones at various sites;

a computer readable program code means for enabling said computer to receive, from each of said calling telephones, identification data associated with employee tracking;

a computer readable program code means for enabling said computer to compare the indicated origin of each of said telephone calls with information associated with said identification data;

a computer readable program code means for enabling said computer to create telephone call records based on some of said received telephone calls and stamping each of said telephone call records with a time; and

a computer readable program code means for enabling said computer to generate a report containing information contained in some of said telephone call records.

24. (Amended) A computer software product comprising a computer usable medium having computer readable program code means embodied in said medium for causing an applications program to execute on a computer, said computer readable program code means comprising:

a computer readable program code means for enabling said computer to detect data that indicates the origin of telephone calls received by said computer from calling telephones at various sites;

a computer readable program code means for enabling said computer to receive, from each of said calling telephones, identification data[The computer software product of claim 17], wherein said identification data indicates indicating an employee;

a computer readable program code means for enabling said computer to compare the indicated origin of each of said telephone calls with information associated with said identification data;

[and further comprising] a computer readable program code means for receiving from the calling telephones computer compatible function codes indicative of whether said employee has arrived or is departing from a work site;

a computer readable program code means for enabling said computer to create telephone call records based on some of said received telephone calls and stamping each of said telephone call records with a time; and

a computer readable program code means for enabling said computer to generate a report containing information contained in some of said telephone call records[,] and [wherein said report contains] information indicative of the arrival and departure time of said employee at said work site.

25. (Amended) A method of tracking employees and generating employee reports, the method comprising:

receiving telephone calls by a computer system from calling telephones located at various work sites;

detecting data that indicates the origin of said telephone calls;

receiving from the calling telephones identification data associated with employee tracking;

comparing the indicated origin of each of said telephone calls with information associated with valid work sites that is stored in a reference data base;

creating telephone call records based on some of said received telephone calls and stamping each of said telephone call records with a time; and

generating a report containing information contained in some of said telephone call records.

26. (Amended) A method of tracking employees and generating employee reports, the method comprising:

receiving telephone calls by a computer system from calling telephones located at various sites;

detecting data that indicates the origin of said telephone calls;

receiving from each of said calling telephones identification data associated with employee tracking;

comparing the indicated origin of each of said telephone calls with information associated with said identification data;

creating telephone call records based on some of said received telephone calls and stamping each of said telephone call records with a time; and

generating a report containing information contained in some of said telephone call records.

27. (Amended) A system for tracking employees and generating employee reports, comprising:

a computer system;

means for coupling the computer system to a telephone network;

means for receiving telephone calls by said computer system from calling telephones located at various work sites;

means for detecting data that indicates the origin of said telephone calls;

means for receiving from the calling telephones identification data associated with employee tracking;

means for comparing the indicated origin of each of said telephone calls with information associated with valid work sites that is stored in a reference data base;

means for creating telephone call records based on some of said received telephone calls and stamping each of said telephone call records with a time; and

means for generating a report containing information contained in some of said telephone call records.

28. (Amended) A system for tracking employees and generating employee reports, comprising:

a computer system;

means for coupling the computer system to a telephone network;

means for receiving telephone calls by said computer system from calling telephones located at various sites;

means for detecting data that indicates the origin of said telephone calls;

means for receiving from each of said calling telephones identification data associated with employee tracking;

means for comparing the indicated origin of each of said telephone calls with information associated with said identification data;

means for creating telephone call records based on some of said received telephone calls and stamping each of said telephone call records with a time; and

means for generating a report containing information contained in some of said telephone call records.

29. (Amended) A method of tracking employees and generating employee reports, the method comprising:

placing telephone calls to a computer system from calling telephones located at various work sites, wherein said computer system detects data that indicates the origin of said telephone telephones, creates telephone call records based on some of said telephone calls and stamps each of said telephone call records with a time;

entering at the calling telephones employee identification data associated with employee tracking that is verified by said computer system against reference data stored in a reference data base; and

receiving a report containing information contained in some of said telephone records.--.

Claims 30-32 are new.